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TAGS: PREL PGOV CE

SUBJECT: EU TROIKA VISIT TO COLOMBO YIELDS LITTLE

Classified By: Ambassador Robert O. Blake, Jr. for reasons
1.4 (b) and (d).

¶1. (C) Summary: In a briefing to Co-Chair Ambassadors at the conclusion of their March 17-18 visit to Colombo, EU Troika members noted they: pressed the Government of Sri Lanka to allow access to the Vanni for the Norwegian facilitators; noted the GSL's intention to implement the 13th Amendment but urged the GSL to move forward with a more ambitious power-sharing proposal such as that now being considered by the All Parties Representative Committee (APRC); and urged progress on human rights and humanitarian access for international NGOs and the UN in conflict areas. The Troika warily noted scant progress in any of these areas. The Troika noted the explicit link between human rights and Sri Lanka's reapplication to receive GSP Plus trade preferences and commented that the government appeared to be weighing its options with respect to what steps on human rights it might be prepared to take. End Summary.

¶2. (U) The Troika was lead by was led by Mr. Janez Premoze, Asia Director in the Slovenian Ministry of Foreign Affairs representing the current EU Presidency. The European Commission was represented by Mr. James Moran, Director for Asia; Ms. Helen Campbell, Head of Unit for South Asia; and Mr. Andrea Nicolaj, Desk Officer for Sri Lanka. The incoming French Presidency of the EU was represented by Mr. Didier Leroy, Deputy Director for South Asia. The EU's High Representative for Common Foreign and Security Policy was represented by Mr. Michael Swann, responsible for South Asia at the General Secretariat of the Council of the EU.

¶3. (U) The Troika met with Minister of Foreign Affairs Bogollagama, Secretary of Foreign Affairs Kohona, Minister of Disaster Management and Human Rights Samarasinghe, Minister of Science and Technology and APRC Chairman Vitharana, Advisor to the President Basil Rajapaksa, Defense Secretary Gotabaya Rajapaksa, Opposition leader Wickremesinghe, leaders of the JVP, TNA and EPDP, and civil society organizations.

¶4. (C) In a read out to Co-Chair Ambassadors at the conclusion of the Troika visit on March 18, Moran indicated that the Troika had pressed for progress in each of the following areas:

-- The Troika sought access for Norway and other Co-Chair representatives as appropriate to the Vanni in order to deliver key messages to the LTTE about returning to the peace

process, maintaining humanitarian access, and observing human rights. He said the government continued to resist providing such access on security grounds.

-- The EU took note of the government's intentions to implement the 13th Amendment, but said that a more ambitious power-sharing proposal such as that now being considered by the All Parties Representative Committee (APRC) is needed. APRC Chairman Vitharana told the Troika that he expected to produce document in two to three months. Co-Chair Ambassadors expressed skepticism of this time table, noting that the JVP party remains resolutely opposed to any APRC document. The government would be unlikely to antagonize the JVP for fear that it might mobilize street demonstrations against the government and undermine public support for the war effort.

-- On humanitarian access, Moran referred to efforts by the Ambassador and EU Head of Mission Wilson to persuade the government to relax visa, taxation and other constraints on international NGOs operating in both the LTTE-controlled and government areas (septel). GSL interlocutors responded they were working on a response, but offered no details.

-- On human rights, Moran said the Troika emphasized in every meeting the importance the EU attaches to concrete progress by Sri Lanka. The Troika noted the explicit link between human rights and Sri Lanka's reapplication to receive GSP Plus trade preferences. The Troika pushed for government support to allow the Office of the High Commissioner for Human Rights (OHCHR) to establish a presence in Sri Lanka. Human Rights Minister Samarasinghe claimed the government has an ongoing dialog with OHCHR, but Moran noted that Arbour's office had informed the Troika that the dialogue was at a standstill. Moran commented that the government appeared to be weighing its options with respect to what steps on human rights it might be prepared to take to enhance its chances for renewed access to GSP plus trade preferences. Some in the GSL clearly hoped for concrete but unspecified progress, while others were less inclined to take concrete measures. Moran said the EU would take up all of these issues again at the next European Commission-Sri Lanka Joint Commission meeting in June 2008.

¶5. (U) Following is the text of the press release released by the EU at the conclusion of the Troika visit:

A delegation of senior officials from the European Union (EU) visited Sri Lanka, 16-18 March 2008, to discuss EU concerns at the current situation in the country. The EU and Sri Lanka have deep, long-standing relations, covering economic, trade, political and cultural matters. The EU is committed to maintaining these, and welcomes the opportunity provided by this visit for open and frank discussions.

The EU welcomes such steps as have been taken towards a politically sustainable devolution plan for Sri Lanka. Having taken note of the interim proposal from the APRC, the EU looks forward to an ambitious final proposal in the coming months.

Following peaceful local elections in Batticaloa district on 10 March, key issues have been identified concerning the provision of proper electoral conditions, including the disarmament of paramilitaries. The EU sees effective action on this as key to ensuring free and fair voting at the provincial elections scheduled for May.

The EU has an active, well defined policy on counter-terrorism. This underlies the EU's unequivocal condemnation of all terrorist activities, including those by the LTTE. In 2006 the EU listed the LTTE as a terrorist organisation. Since then there have been a number of criminal prosecutions against LTTE fund raising in Europe.

The EU and Sri Lanka share binding commitments under the international conventions that they have signed, especially regarding human rights and international humanitarian law.

The EU welcomes the assurances that it has received concerning respect for human rights, which is one of the key principles underpinning all EU-Sri Lanka relations, and an essential element of the EC-Sri Lanka Cooperation Agreement. Nonetheless, the EU continues to harbour very serious concerns about continuing reports of human rights abuses. The EU notes with regret that the Independent International Group of Eminent Persons (IIGEP) has decided to terminate its work with the Presidential Commission of Inquiry because of concerns about its compliance with international standards and institutional lack of support for the work of the Commission. The EU underlines the seriousness of calls by the IIGEP and the UN High Commissioner for Human Rights, for the Government to deliver concrete results through considering their recommendations seriously, taking cases to court, and ensuring effective and independent human rights monitoring.

The EU remains committed to its present role as one of the Co-Chairs of the Tokyo process. As such, it continues to believe in the importance of guaranteeing access to Kilinochchi for the Norwegian facilitator and other Co-Chairs, as well as the UN and other concerned organisations. This is needed to allow the delivery of key messages to the LTTE about returning to the peace process, observing humanitarian access and human rights.

The EU welcomes the assurances that it has received concerning the Government's continuous provision of services in war affected areas. The EU remains committed to providing humanitarian assistance (the EU is Sri Lanka's largest donor in this field). It is also vitally important, however, to create a more favourable environment to allow NGOs, UN and the ICRC to work effectively, without undue criticism. These organisations are here to help with the permission of Government and their work should be recognised and facilitated by all Sri Lankans. The EU appeals for steps to be taken to minimise civilian casualties and to ensure visas and access to NGOs, UN and the ICRC so they can reach the people in need.

Sri Lanka is currently taking considerable advantage of the EU's GSP special incentive arrangement for sustainable development and good governance. According to the rules of this scheme, all countries wishing to continue benefiting from the GSP regime will have to reapply by October 2008. The legal provisions of the GSP scheme also spell out the linkage between trade preferences and human rights. The EU confirms that the entire process, which has not yet started, will be governed by objective criteria.

In conclusion, the EU looks forward to holding the next EC-Sri Lanka Joint Commission meeting in June 2008 to explore various aspects in greater detail.

BLAKE